

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the amendment in Part B by striking out all of section 3 and inserting the following:

‘Sec. B-3. Data linkage. The steering committee of the Maine Education Policy Research Institute in the University of Maine System may include a targeted research project to the fiscal year 2007-08 work plan to permit the principal investigators of the Maine Education Policy Research Institute to provide such technical assistance as may be required to complete the investigation outlined in this section. Upon the approval of the steering committee of the Maine Education Policy Research Institute, the principal investigators of the Maine Education Policy Research Institute may conduct a review of the necessary technical and legal advances that would enable data linkage to facilitate research projects that would involve linkage of personally identifiable health and MaineCare data and personally identifiable education data in a way that would be in compliance with federal privacy law and regulation, including the federal Family Educational Rights and Privacy Act of 1974, 20 United States Code, Section 1232g (2006) and the federal Health Insurance Portability and Accountability Act of 1996, 42 United States Code, Sections 1320d to 1320d-8 (2006). The Maine Education Policy Research Institute may consult with the Office of the Attorney General and with the Office of Policy and Legal Analysis for advice on identifying which, if any, state laws, rules or policies would have to be changed to enable or facilitate such studies within the bounds of federal law and regulation. This report may include a design of a pilot study to test the technical advances outlined in this section and may also investigate the possibility of data linkage for assessing the effectiveness and efficiency of delivery of early intervention, education and health and human services to individuals with disabilities. The report may describe data linkage with a broad range of research questions. The report may address how to use data linkage studies to assess the effectiveness and efficiency of delivery of early intervention, education and health and human services to individuals with disabilities, including the number of case managers per child. A goal of such work is that the Department of Education and the Department of Health and Human Services work together to determine how data systems can be designed to facilitate analysis of data across departments.

If the steering committee of the Maine Education Policy Research Institute approves the inclusion of a targeted research project as outlined in this section to the fiscal year 2007-08 work plan, the principal investigators of the Maine Education Policy Research Institute shall deliver a report on or before January 31, 2008 to the Joint Standing Committee on Education and Cultural Affairs.’

SUMMARY

This amendment requires the steering committee of the Maine Education Policy Research Institute to consider the recommendation of the Subcommittee To Study Early Childhood Special Education to explore and report to the Joint Standing Committee on Education and Cultural Affairs on necessary technical and legal advances that would enable data linkage of individually identifiable health and education data in a way that would be consistent with federal laws and regulations on privacy while facilitating research projects on such matters as effectiveness, efficiency and cost-effectiveness of service delivery.

It differs from Committee Amendment "A" in that this amendment allows the steering committee of the Maine Education Policy Research Institute to include a targeted research project to the fiscal year 2007-08 work plan to permit the principal investigators of the Maine Education Policy Research Institute to provide technical assistance as may be required to complete the investigation outlined in this amendment.